

09-0-0993
(Do Not Write Above This Line)

AN ORDINANCE Z-09-22
BY: ZONING COMMITTEE

An Ordinance to rezone from the PD-H (Planned Development-Housing) district to the C-3 (Commercial Residential) District, property located at a portion of 3415 North Stratford Road, N.E., fronting approximately 63.91 feet on the east side of North Stratford Road, beginning 595.11 feet from the north east corner of Peachtree Road. Depth: varies. Area: approximately 0.545 acre. Land Lot 45, 17th District, Fulton County, Georgia.
OWNER: MARGESON PROPERTIES, INC.
APPLICANT: HD REALTY, LLC
NPU-B
COUNCIL DISTRICT 7

- ☐ CONSENT REFER
- ☒ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred 06/01/09
Referred To: ZCB / zoning
Date Referred ADOPTED BY
Referred To:
Date Referred AUG 17 2009
Referred To: COUNCIL

First Reading
Committee Date 06/24/09
Chair Date 06/24/09
Referred To 06/24/09

Committee Date 06/24/09
Chair Date 06/24/09
Action Fav, Adv, Hold (see rev. side) AS RECORDED
Members
Refer To

Committee Date
Chair
Action Fav, Adv, Hold (see rev. side)
Members
Refer To

Committee Date
Chair
Action Fav, Adv, Hold (see rev. side)
Other
Members
Refer To

Committee Date
Chair
Action Fav, Adv, Hold (see rev. side)
Other
Members
Refer To

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED
AUG 17 2009
Heath C. Culp
COUNCIL PRESIDENT PROTÉM

CERTIFIED
AUG 17 2009
Ruthie Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
AUG 17 2009
Mayor Hank
MAYOR

AS AMENDED

City Council
Atlanta, Georgia

09-O-0993

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-09-22
Date Filed: 5-12-09

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at a **portion of 3415 Stratford Road, N.E.** be changed from the PD-H (Planned Development-Housing) District to the C-3-C (Commercial Residential-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 45, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-09-22 for a portion of 3415 Stratford Road, N.E.

1. Site Plan: A conceptual site plan similar to the plan prepared by Wolverton & Associates dated May 12, 2009 and stamped "received" by the Bureau of Planning on May 12, 2009 (the "Rezoning Site Plan"). This site plan is conceptual and is not intended to prohibit application of the SPI-12 Buckhead/Lenox Stations Overlay District regulations. The exact location of the driveway shall be determined as part of the special administrative permit review and approval and before issuance of any building permits.
2. Use of the subject property shall be limited to an access drive for 3384 Peachtree Road and other uses accessory to use(s) permitted on the balance of 3415 Stratford Road.
3. Floor Area Ratio (FAR) restrictions: No commercial FAR shall be allocated for the parcel. No additional residential FAR above that amount approved for the entire property as part of the originally adopted PD-H plan (per Z-00-44) shall be allocated for the parcel.
4. The applicant, owner, and/or any successors thereof shall provide at least one week's advance written notice of any applications involving the subject property in a request for rezoning, change in conditions, site plan amendment, special use permit, special administrative permit, variance or special exception to (a) the President of the North Buckhead Civic Association and (b) the Chair of the Zoning Committee of NPU-B. Evidence of such shall be submitted to the Bureau of Planning.
5. Applicant, owner, and/or any successors thereof will have the right to request administrative changes without the notification required in Condition 2 so long as such changes are required by the City of Atlanta to comply with technical permitting requirements of the City of Atlanta or to address site conditions.

20-60-2

[illegible]

PROPOSED REZONING SKETCH
FOR
MARGESON PROPERTIES, LLC.
LOCATED IN
LAND LOT 45, 17TH DISTRICT
FULTON COUNTY, GEORGIA

1/1

SITE INFORMATION

DATE ACQUIRED: 3/11/85
 1151 S. HAY / PHOENIX, ARIZONA 85004

A hand-drawn map of the area around Stratford Road. The map shows a road labeled 'STRATFORD ROAD' running horizontally. To the left of this road, there is a road labeled 'A1000'. A road labeled 'P.O. Box 100' branches off from the A1000. The map also shows a 'Stratford Road' intersection with the A1000. The map is drawn on a piece of paper with a grid pattern.

LOCATION MAP

LEGEND

[illegible]

ACCORDING TO THE 1987 PLANO MARRIAGE RATE MAP OF FULTON COUNTY, GA, MARRIAGE LICENSATES DATED JUNE 23, 1989, NO RECORD OF THE MARRIAGE OF THE ABOVE NAMED COUPLE WAS LOCATED.

[illegible]